

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RODRICK LAMONT NICHOLSON,)	
)	
Petitioner)	
)	
v.)	1:18CV413
)	1:07CR196-1
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

On October 29, 2018, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #92] to the Recommendation within the time limit prescribed by Section 636. The Court has reviewed Petitioner's objections de novo and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #90], which is affirmed and adopted.

IT IS THEREFORE ORDERED that the Motion and Supplement [Docs. #88, #89] are construed as a Motion under 28 U.S.C. § 2255 and are DISMISSED sua sponte for failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the Court of Appeals as required by 28 U.S.C. §§ 2255 and 2244. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the

conviction, nor a debatable procedural ruling, a certificate of appealability is
DENIED.

This the 21st day of July, 2020.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge